

COMMITTEE AMENDMENT FORM

DATE: 01/14/11

COMMITTEE ZONING

PAGE NUM(S) 1 & 2

ORDINANCE I. D. #11-O-0076

SECTION (S) 4

RESOLUTION I. D. #10-R-

PARA. CAPTION

AMENDS THE LEGISLATION BY INSERTING 90 DAYS WHEREVER 180 DAYS
APPEAR IN THE LEGISLATION.

IT FURTHER AMENDS THE CAPTION BY INSERTING THE WORD "INCLUDING"
BEFORE THE WORDS "ANY FACILITY"

AN ORDINANCE

11-O-0076

BY COUNCILMEMBER IVORY LEE YOUNG, JR.

AS AMENDED BY ZONING COMMITTEE

IMPOSING A MORATORIUM ON THE ACCEPTANCE OF ANY BUILDING PERMIT APPLICATION FOR ANY PROPOSED SUPPORTIVE HOUSING OR SHELTER FACILITY WITHIN TWO THOUSAND (2000) FEET OF ANY EXISTING SUPPORTIVE HOUSING OR SHELTER INCLUDING ANY FACILITY OWNED, LEASED AND/OR OPERATED BY THE CITY OF ATLANTA FOR A PERIOD NOT TO EXCEED NINETY (90) DAYS; AND FOR OTHER PURPOSES.

WHEREAS, Section 16-29.001(71) defines a shelter use and limits the location of such use/facility to at least 2,000 feet from any other such shelter facility as well as any personal care home, assisted living facility, nursing home, rehabilitation center, or supportive housing facility; and

WHEREAS, Section 16-29.001(73) defines a supportive housing use and limits the location of such use/facility to at least 2000 feet from any other such supportive housing facility as well as any personal care home, or shelter; and

WHEREAS, legislation amending these sections has been introduced for consideration by the City Council so as to clarify that the distance requirement between shelter facilities or supportive housing facilities applies equally to a city-owned, leased or operated shelter or supportive housing facility as it does to a privately owned or operated shelter or supportive housing facility; and

WHEREAS, legislation amending the Zoning Code usually requires a minimum of 90 days before the amendments can be considered by the City Council for a final vote; and

WHEREAS, the acceptance of building permit applications for supportive housing or shelter facilities during the period between the introduction of the text amendment and the final vote on such amendment would undermine the intent of such amendment.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

SECTION 1. A moratorium is imposed on the acceptance of any building permit application by the bureau of buildings for any proposed supportive housing or shelter facility within two thousand (2000) feet of any existing

supportive housing or shelter including any facility owned, leased and/or operated by the City of Atlanta

SECTION 2. A moratorium is imposed on the acceptance of any building permit application by the Bureau of Buildings for any proposed supportive housing or shelter including any facility owned, leased and/or operated by the City of Atlanta within two thousand (2000) feet of any existing supportive housing or shelter facility.

SECTION 3. A moratorium is imposed on the acceptance of any building permit application by the Bureau of Buildings for any proposed supportive housing or shelter including any facility owned, leased and/or operated by the City of Atlanta within two (2000) feet of any existing supportive housing or shelter facility owned, leased and/or operated by the City of Atlanta.

SECTION 4. The moratorium imposed by this ordinance will expire ninety (90) days from the date that this ordinance becomes effective, provided however that if there is a final vote of the City Council on a text amendment to the Atlanta Zoning Ordinance which clarifies the distance requirements as applied to city-owned, leased, or operated supportive housing or shelter facilities before the expiration by the passage of time, the moratorium will expire on the date when the text amendment ordinance becomes effective or on the date when the City Council votes to deny the approval of the text amendment.

SECTION 5. This ordinance shall become effective immediately upon signing by the Mayor or as otherwise provided by the operation of law.

**AN ORDINANCE
BY COUNCILMEMBER IVORY LEE YOUNG, JR.**

AN ORDINANCE IMPOSING A MORATORIUM ON THE ACCEPTANCE OF ANY BUILDING PERMIT APPLICATION FOR ANY PROPOSED SUPPORTIVE HOUSING OR SHELTER FACILITY WITHIN TWO THOUSAND (2000) FEET OF ANY EXISTING SUPPORTIVE HOUSING OR SHELTER FACILITY OWNED, LEASED AND/OR OPERATED BY THE CITY OF ATLANTA FOR A PERIOD NOT TO EXCEED ONE HUNDRED AND EIGHTY (180) DAYS; AND FOR OTHER PURPOSES.

WHEREAS, Section 16-29.001(71) defines a shelter use and limits the location of such use/facility to at least 2,000 feet from any other such shelter facility as well as any personal care home, assisted living facility, nursing home, rehabilitation center, or supportive housing facility; and

WHEREAS, Section 16-29.001(73) defines a supportive housing use and limits the location of such use/facility to at least 2,000 feet from any other such supportive housing facility as well as any personal care home, or shelter; and

WHEREAS, legislation amending these sections has been introduced for consideration by the City Council so as to clarify that the distance requirement between shelter facilities or supportive housing facilities applies equally to a city-owned, leased or operated shelter or supportive housing facility as it does to a privately owned or operated shelter or supportive housing facility; and

WHEREAS, legislation amending the Zoning Code usually requires a minimum of 90 days before the amendments can be considered by the City Council for a final vote; and

WHEREAS, the acceptance of building permit applications for supportive housing or shelter facilities during the period between the introduction of the text amendment and the final vote on such amendment would undermine the intent of such amendment.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

SECTION 1. A moratorium is imposed on the acceptance of any building permit application by the bureau of buildings for any proposed supportive housing or shelter facility within two thousand (2000) feet of any existing supportive housing or shelter facility owned, leased and/or operated by the City of Atlanta.

SECTION 2. A moratorium is imposed on the acceptance of any building permit application by the Bureau of Buildings for any proposed supportive housing or shelter facility owned, leased and/or operated by the City of Atlanta within two thousand (2000) feet of any existing supportive housing or shelter facility.

SECTION 3. A moratorium is imposed on the acceptance of any building permit application by the Bureau of Buildings for any proposed supportive housing or shelter facility owned, leased and/or operated by the City of Atlanta within two thousand (2000) feet of any existing supportive housing or shelter facility owned, leased and/or operated by the City of Atlanta.

SECTION 4. The moratorium imposed by this ordinance will expire one hundred and eighty (180) days from the date that this ordinance becomes effective, provided however that if there is a final vote of the City Council on a text amendment to the Atlanta Zoning Ordinance which clarifies the distance requirements as applied to city-owned, leased, or operated supportive housing or shelter facilities before the expiration by the passage of time, the moratorium will expire on the date when the text amendment ordinance becomes effective or on the date when the City Council votes to deny the approval of the text amendment.

SECTION 5. This ordinance shall become effective immediately upon signing by the Mayor or as otherwise provided by the operation of law.